

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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| <p>In re:</p> <p>NationsRent, Inc., et al.,¹</p> <p style="text-align: center;">Debtors.</p> | <p>Case Nos. 01-11628 through 01-11639 (PJW)</p> <p>Jointly Administered</p> <p>Chapter 11</p> |
| <p>NationsRent Unsecured Creditor's Liquidating Trust, Perry Mandarino, not personally, but as Trustee</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>3-D/Costal Oil Company</p> <p>4 Star Air Hydraulics & Ind.</p> <p>Action Tire Company</p> <p>ADA Resources Inc.</p> <p>Advanced Tire Inc.</p> <p>Ael Leasing Co., Inc.</p> <p>Agovino & Asselta, LLP</p> <p>Airdyne Management Inc.</p> <p>Allen Oil Company of Sylacauga, Inc.¹</p> <p>Alternators Unlimited Reb.</p> <p>A.O.K. Tire Mart II, Inc.</p> <p>Archie's Truck Service</p> <p>Arrow Master, Inc.</p> <p>ASAP Equipment Rental & Sales</p> <p>Authorized Equipment, Inc.</p> | <p>District Court Case Nos. (KAJ):</p> <p>04-CV-1033</p> <p>04-CV-1030</p> <p>04-CV-1031</p> <p>04-CV-976</p> <p>04-CV-713</p> <p>04-CV-767</p> <p>04-CV-1035</p> <p>04-CV-714</p> <p>04-CV-801</p> <p>04-CV-988</p> <p>04-CV-766</p> <p>04-CV-1158</p> <p>04-CV-1160</p> <p>04-CV-716</p> <p>04-CV-784</p> |

¹ NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRG, Inc., NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc., NationsRent of Texas, LP, and NationsRent of Indiana, LP

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| Bay Counties Pitcock Petroleum Inc. | 04-CV-1060 |
| Black & Veatch Constr. | 04-CV-1039 |
| Blue Ribbon Tire Co., Inc. | 04-CV-721 |
| Bobcat Company | 04-CV-1026 |
| Bradenton Fuel Oil, Inc. | 04-CV-1037 |
| Burch-Lowe, Inc. | 04-CV-1076 |
| Carruth-Doggett Industries, Inc. | 04-CV-723 |
| C.G.& E. | 04-CV-802 |
| Central Tire | 04-CV-995 |
| Cintas Corp. #318, Cintas Corporation No. 2 | 04-CV-996 |
| CMD Group | 04-CV-726 |
| Coleman Engineering | 04-CV-1148 |
| Collision Pro | 04-CV-1149 |
| Columbus Equipment Company | 04-CV-998 |
| Columbus McKinnon Corp. | 04-CV-999 |
| Commercial Tire Inc. | 04-CV-806 |
| Construction Machinery, Inc. | 04-CV-1142 |
| Contractors Machinery Co. Inc. | 04-CV-795 |
| Corporate Express | 04-CV-1001 |
| Cowin Equipment Company, Inc. | 04-CV-728 |
| Creative Financial Staffing | 04-CV-1021 |
| Crosscheck, Inc. | 04-CV-732 |
| Cyrk, Inc. a/k/a Cyrk Acquisition | 04-CV-734 |
| Delta BCX Printing | 04-CV-1167 |
| Delta Formost Chemical Corporation | 04-CV-1170 |
| Diamant Boart Inc. | 04-CV-1104 |
| Diamond Hydraulics | 04-CV-1106 |
| Diamond J. Transport, Inc. | 04-CV-787 |

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| Diversified Credit Service | 04-CV-1096 |
| Don's Tire Service, Inc. | 04-CV-1106 |
| Dorris Cleaning | 04-CV-1111 |
| Doskocil Industries, Inc. | 04-CV-1150 |
| Dossey Holdings, Inc. | 04-CV-1155 |
| Double A | 04-CV-1153 |
| Douglass Distributing | 04-CV-1114 |
| Dutchess Forging | 04-CV-1117 |
| Ebusiness Technology partners, Inc., f/k/a PSR Professional Staffing, Inc. | 04-CV-747 |
| Ed Hart | 04-CV-975 |
| EJ Reynolds, Inc. | 04-CV-722 |
| Equipment Development Co., Inc. | 04-CV-1128 |
| Equiptechs, Inc. | 04-CV-789 |
| Falcon Power | 04-CV-1130 |
| Fischer Group | 04-CV-1141 |
| FL Hydraulic Machinery | 04-CV-725 |
| Fleetwing Corp. | 04-CV-1151 |
| Fluid Tech Hydraulics, Inc. | 04-CV-1154 |
| GCR Pensacola Truck Tire Ctr. | 04-CV-730 |
| Gene Jackson Tire Co. | 04-CV-1049 |
| GFC Leasing | 04-CV-1051 |
| GMR Marketing LLC | 04-CV-731 |
| Goodyear Commercial Tire & Service Center | 04-CV-733 |
| GSR Construction, Inc. | 04-CV-768 |
| Gullo Ford Mercury | 04-CV-769 |
| Harbor Graphics Corporation | 04-CV-1007 |
| Harte-Hanks | 04-CV-739 |

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| Hick's Petroleum Distributors, Inc. | 04-CV-770 |
| Hindley Electronics, Inc. | 04-CV-1013 |
| Holt Equipment Company Co., LLC | 04-CV-772 |
| Hunt & Sons | 04-CV-1019 |
| Husqvarna Forest & Garden | 04-CV-1176 |
| ID Technologies, Inc. | 04-CV-1043 |
| Igloo Products Corp. | 04-CV-1042 |
| Illuminating Company | 04-CV-1070 |
| Industrial Hydraulics | 04-CV-1075 |
| Ingram Trucking LLC | 04-CV-744 |
| BBF, Ltd | 04-CV-800 |
| JAM Distributing Company | 04-CV-1123 |
| J&B Auto Supply, Inc. | 04-CV-1162 |
| Jeff Falkanger & Associates | 04-CV-1184 |
| Jimmy's Garage | 04-CV-1080 |
| Joe Jeter Sales | 04-CV-981 |
| John Ray and Sons Inc. | 04-CV-774 |
| Kent Demolition Tools | 04-CV-987 |
| Keson Industries Inc. | 04-CV-1116 |
| Kforce.com Inc. | 04-CV-745 |
| L&P Financial Services | 04-CV-1165 |
| Laclede Chain Mfg. Co. | 04-CV-1086 |
| Land & Sea Petroleum, Inc. | 04-CV-993 |
| Lionudakis Wood & Green Waste | 04-CV-1091 |
| Little Beaver, Inc. | 04-CV-997 |
| Lockhart Tire | 04-CV-1062 |
| M & D Distributors | 04-CV-1172 |
| M.P. Brine Inc. | 04-CV-783 |

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| Maxim Group | 04-CV-757 |
| Maxout Sourcing Services | 04-CV-758 |
| Metso Minerals Industries, Inc. | 04-CV-1011 |
| Miller Bros Giant Tire Service- Jacksonville, Inc. | 04-CV-1178 |
| The Miller Spreader Co. | 04-CV-1008 |
| Mission Critical System, Inc. | 04-CV-1014 |
| Mobile Products, Inc. | 04-CV-1186 |
| Mobile Storage Group, Inc. | 04-CV-1028 |
| Morgan Auto Supply Co. | 04-CV-1191 |
| Morgan Guaranty Trust Company of New York | 04-CV-1192 |
| Morgan Marshall Industries Inc. | 04-CV-763 |
| Multiquip Inc. | 04-CV-1025 |
| Mutual Industries | 04-CV-737 |
| Naab Consulting Corp. | 04-CV-1027 |
| Nabors Radiator & Electric | 04-CV-738 |
| NACM | 04-CV-1067 |
| NAPA Auto Parts, National Automotive Parts Association | 04-CV-1041 |
| Napa Auto Parts of Franklin | 04-CV-1073 |
| Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor | 04-CV-1063 |
| Neff Rental Inc. | 04-CV-785 |
| Nickey Petroleum Co. Inc. | 04-CV-1085 |
| Nortrax Equipment Co. SE, LLC | 04-CV-1045 |
| Nortrax Equipment Co. South LA | 04-CV-1044 |
| Nortrax NE LLC | 04-CV-1064 |
| NSTAR Electric & Gas Corporation | 04-CV-1066 |

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| Office Management Systems Inc. | 04-CV-742 |
| Olsen Tire | 04-CV-792 |
| Original Equipment Replacement Parts, Inc. | 04-CV-777 |
| Orlando Industrial Contractors | 04-CV-776 |
| OTR Tire & Supply Co. | 04-CV-1088 |
| Overland Machinery Co. | 04-CV-1089 |
| Pacific Century LSG #449 | 04-CV-1074 |
| Palmer Distributing & Sales | 04-CV-1055 |
| Parkway Truck Sales, Inc. | 04-CV-781 |
| Partner Industrial Products | 04-CV-1047 |
| Parts Associates | 04-CV-1056 |
| Penick, Parr & Associates | 04-CV-1092 |
| Peterson Tire Inc. | 04-CV-1061 |
| Pipeline Supply & Service | 04-CV-1098 |
| Pratt & Whitney Canada, Inc. | 04-CV-786 |
| Pro Chem Cleaning | 04-CV-1108 |
| Progressive Tractor Corp. | 04-CV-791 |
| Promotion Solution Inc. | 04-CV-790 |
| Quick Corner CITGO | 04-CV-1119 |
| Reeder Distributors Inc. | 04-CV-749 |
| Relizon | 04-CV-750 |
| Rentlink Inc. | 04-CV-1054 |
| Rhode Island Tire Co. Inc. | 04-CV-1032 |
| Rish Equipment Company | 04-CV-796 |
| Robertson Fleet Service Inc. | 04-CV-1029 |
| S&D Tire Inc. | 04-CV-1134 |
| Saber Fleet Services, Inc. d/b/a Weiland Tire Service | 04-CV-753 |

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| Sanford Auto & Truck Parts | 04-CV-1140 |
| Scotty's Oil Company, Inc. | 04-CV-755 |
| Sellers Petroleum Products Inc. | 04-CV-1109 |
| Sensormatic Electronics Corp. | 04-CV-1169 |
| Services & Materials, Co. | 04-CV-1171 |
| Sherwin-Williams | 04-CV-754 |
| SB Power Tool Corp. | 04-CV-1174 |
| Soco Group | 04-CV-1159 |
| Son Coast, Hauling, CCC | 04-CV-1077 |
| Southeastern Crane | 04-CV-799 |
| Southern Energy Company | 04-CV-1084 |
| Southern Linc | 04-CV-1093 |
| Spectra Precision d/b/a Richard B. Trimble | 04-CV-1094 |
| Speedway New Holland | 04-CV-1100 |
| Staffing Master.com | 04-CV-1113 |
| Star Tire Company Inc. | 04-CV-1050 |
| Sterling Truck of Utah | 04-CV-1102 |
| Stihl Inc. National Accounts | 04-CV-1180 |
| Stone Construction Equipment Inc. | 04-CV-1183 |
| Sullivan Palatek Inc. | 04-CV-1052 |
| Sun Coast Resources Inc. | 04-CV-1188 |
| Tacony Corporation | 04-CV-808 |
| Terex Aerials, Inc. d/b/a Terex Cranes | 04-CV-973 |
| Texana Machinery Corp. | 04-CV-805 |
| Tex Con Oil Company | 04-CV-1120 |
| Tioga Inc. | 04-CV-1129 |
| TIP Dept 0501 | 04-CV-1131 |
| Tire Centers LLC | 04-CV-1133 |

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| TMP Worldwide Inc. also known as Monster Worldwide, Inc. | 04-CV-986 |
| Triton Transport Inc | 04-CV-1196 |
| Truck Lease Corp. | 04-CV-1198 |
| Truck PM Corporation | 04-CV-1002 |
| Tsurumi (America) Inc. | 04-CV-1005 |
| Tullo Truck Stop | 04-CV-1138 |
| Unifirst Corp. | 04-CV-1139 |
| Uniontools, Inc. | 04-CV-1009 |
| US Imaging Solutions | 04-CV-1012 |
| US Market Inc. | 04-CV-740 |
| Valley Rubber & Gasket | 04-CV-1144 |
| Valley Tire Co., Inc. | 04-CV-1194 |
| The Valvoline Company | 04-CV-759 |
| Vector Security Inc | 04-CV-1197 |
| Vermeer Equipment of Texas Inc. | 04-CV-1166 |
| Vermeer Northeast | 04-CV-1175 |
| Vermeer of Tennessee, Inc. | 04-CV-1071 |
| Vermeer Sales & Service of Colorado, Inc. | 04-CV-1112 |
| Vermeer Sales and Service of Southern Ohio, Inc. | 04-CV-1107 |
| Vermeer Sales of Texas Inc. | 04-CV-1189 |
| Vickers & Asso, Inc. | 04-CV-1079 |
| Vic's Tire Service | 04-CV-804 |
| Viking Oil | 04-CV-1081 |
| Voltech Company | 04-CV-1087 |
| Wayne Miller's Mobile Tire Inc. | 04-CV-1179 |
| Worcester Truck Body Co., Inc. | 04-CV-1168 |

World Wide Welding & Press Inc.
Defendants.

04-CV-1103

**CERTIFICATION OF COUNSEL REGARDING ORDER: (I) SETTING
PROCEDURES TO FACILITATE SETTLEMENT
OF THE ABOVE-CAPTIONED ADVERSARY PROCEEDINGS,
AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M. AS A
STATUS/SCHEDULING CONFERENCE DATE IN THE
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

I, Mary E. Augustine, Esq. of The Bayard Firm, counsel for the Plaintiffs (“Plaintiff” or “Plaintiffs”) in the above-captioned adversary proceedings (the “Adversary Proceedings”), hereby certify as follows:

1. On May 16, 2005, an initial pretrial conference was held (the “Pretrial Conference”) in the Adversary Proceedings.

2. At the Pretrial Conference, the Plaintiff proposed a schedule to apply to the Adversary Proceedings for the submission of settlement proposals/positions to the Plaintiff with the Plaintiff’s required response deadlines. The Court also directed that a status/scheduling conference pursuant to Rule 16(b) of the Federal Rules of Civil Procedure be held in the Adversary Proceedings on October 11, 2005 at 10:00 a.m.

3. Accordingly, for the Court’s consideration, attached hereto as Exhibit A is a proposed Order reflecting the dates and procedure presented at the Pretrial Conference.

Remainder of page intentionally left blank.

4. I respectfully request the entry of the proposed Order at the Court's earliest convenience.

Dated: May 18, 2005

THE BAYARD FIRM

A handwritten signature in cursive script, appearing to read "M. Augustine".

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Christopher A. Ward (No. 3877)

Mary E. Augustine (No. 4477)

222 Delaware Avenue, Suite 900

Wilmington, Delaware 19801

(302) 655-5000 (telephone)

(302) 658-6395 (facsimile)

-and-

LOWENSTEIN SANDLER PC

Paul Kizel, Esq.

65 Livingston Avenue

Roseland, New Jersey 07068

(973) 597-2500 (telephone)

(973) 597-2400 (facsimile)

Attorneys for Plaintiffs

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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| <p>In re:</p> <p>NationsRent, Inc., et al.,¹</p> <p style="text-align: center;">Debtors.</p> | <p>Case Nos. 01-11628 through 01-11639 (PJW)</p> <p>Jointly Administered</p> <p>Chapter 11</p> |
| <p>NationsRent Unsecured Creditor's Liquidating Trust, Perry Mandarino, not personally, but as Trustee</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>3-D/Costal Oil Company</p> <p>4 Star Air Hydraulics & Ind.</p> <p>Action Tire Company</p> <p>ADA Resources Inc.</p> <p>Advanced Tire Inc.</p> <p>Ael Leasing Co., Inc.</p> <p>Agovino & Asselta, LLP</p> <p>Airdyne Management Inc.</p> <p>Allen Oil Company of Sylacauga, Inc.¹</p> <p>Alternators Unlimited Reb.</p> <p>A.O.K. Tire Mart II, Inc.</p> <p>Archie's Truck Service</p> <p>Arrow Master, Inc.</p> <p>ASAP Equipment Rental & Sales</p> <p>Authorized Equipment, Inc.</p> | <p>District Court Case Nos. (KAJ):</p> <p>04-CV-1033</p> <p>04-CV-1030</p> <p>04-CV-1031</p> <p>04-CV-976</p> <p>04-CV-713</p> <p>04-CV-767</p> <p>04-CV-1035</p> <p>04-CV-714</p> <p>04-CV-801</p> <p>04-CV-988</p> <p>04-CV-766</p> <p>04-CV-1158</p> <p>04-CV-1160</p> <p>04-CV-716</p> <p>04-CV-784</p> |

¹ NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRG, Inc., NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc., NationsRent of Texas, LP, and NationsRent of Indiana, LP

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| Collision Pro | 04-CV-1149 |
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| Columbus McKinnon Corp. | 04-CV-999 |
| Commercial Tire Inc. | 04-CV-806 |
| Construction Machinery, Inc. | 04-CV-1142 |
| Contractors Machinery Co. Inc. | 04-CV-795 |
| Corporate Express | 04-CV-1001 |
| Cowin Equipment Company, Inc. | 04-CV-728 |
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| Crosscheck, Inc. | 04-CV-732 |
| Cyrk, Inc. a/k/a Cyrk Acquisition | 04-CV-734 |
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| Delta Formost Chemical Corporation | 04-CV-1170 |
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| Diamond Hydraulics | 04-CV-1106 |
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| Fischer Group | 04-CV-1141 |
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| Fleetwing Corp. | 04-CV-1151 |
| Fluid Tech Hydraulics, Inc. | 04-CV-1154 |
| GCR Pensacola Truck Tire Ctr. | 04-CV-730 |
| Gene Jackson Tire Co. | 04-CV-1049 |
| GFC Leasing | 04-CV-1051 |
| GMR Marketing LLC | 04-CV-731 |
| Goodyear Commercial Tire & Service Center | 04-CV-733 |
| GSR Construction, Inc. | 04-CV-768 |
| Gullo Ford Mercury | 04-CV-769 |
| Harbor Graphics Corporation | 04-CV-1007 |
| Harte-Hanks | 04-CV-739 |

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| Hunt & Sons | 04-CV-1019 |
| Husqvarna Forest & Garden | 04-CV-1176 |
| ID Technologies, Inc. | 04-CV-1043 |
| Igloo Products Corp. | 04-CV-1042 |
| Illuminating Company | 04-CV-1070 |
| Industrial Hydraulics | 04-CV-1075 |
| Ingram Trucking LLC | 04-CV-744 |
| BBF, Ltd | 04-CV-800 |
| JAM Distributing Company | 04-CV-1123 |
| J&B Auto Supply, Inc. | 04-CV-1162 |
| Jeff Falkanger & Associates | 04-CV-1184 |
| Jimmy's Garage | 04-CV-1080 |
| Joe Jeter Sales | 04-CV-981 |
| John Ray and Sons Inc. | 04-CV-774 |
| Kent Demolition Tools | 04-CV-987 |
| Keson Industries Inc. | 04-CV-1116 |
| Kforce.com Inc. | 04-CV-745 |
| L&P Financial Services | 04-CV-1165 |
| Laclede Chain Mfg. Co. | 04-CV-1086 |
| Land & Sea Petroleum, Inc. | 04-CV-993 |
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| M & D Distributors | 04-CV-1172 |
| M.P. Brine Inc. | 04-CV-783 |

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| Maxim Group | 04-CV-757 |
| Maxout Sourcing Services | 04-CV-758 |
| Metso Minerals Industries, Inc. | 04-CV-1011 |
| Miller Bros Giant Tire Service-Jacksonville, Inc. | 04-CV-1178 |
| The Miller Spreader Co. | 04-CV-1008 |
| Mission Critical System, Inc. | 04-CV-1014 |
| Mobile Products, Inc. | 04-CV-1186 |
| Mobile Storage Group, Inc. | 04-CV-1028 |
| Morgan Auto Supply Co. | 04-CV-1191 |
| Morgan Guaranty Trust Company of New York | 04-CV-1192 |
| Morgan Marshall Industries Inc. | 04-CV-763 |
| Multiquip Inc. | 04-CV-1025 |
| Mutual Industries | 04-CV-737 |
| Naab Consulting Corp. | 04-CV-1027 |
| Nabors Radiator & Electric | 04-CV-738 |
| NACM | 04-CV-1067 |
| NAPA Auto Parts, National Automotive Parts Association | 04-CV-1041 |
| Napa Auto Parts of Franklin | 04-CV-1073 |
| Nashville Tractor & Equip. Inc. formally known as Nashville Ford Tractor | 04-CV-1063 |
| Neff Rental Inc. | 04-CV-785 |
| Nickey Petroleum Co. Inc. | 04-CV-1085 |
| Nortrax Equipment Co. SE, LLC | 04-CV-1045 |
| Nortrax Equipment Co. South LA | 04-CV-1044 |
| Nortrax NE LLC | 04-CV-1064 |
| NSTAR Electric & Gas Corporation | 04-CV-1066 |

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| Office Management Systems Inc. | 04-CV-742 |
| Olsen Tire | 04-CV-792 |
| Original Equipment Replacement Parts, Inc. | 04-CV-777 |
| Orlando Industrial Contractors | 04-CV-776 |
| OTR Tire & Supply Co. | 04-CV-1088 |
| Overland Machinery Co. | 04-CV-1089 |
| Pacific Century LSG #449 | 04-CV-1074 |
| Palmer Distributing & Sales | 04-CV-1055 |
| Parkway Truck Sales, Inc. | 04-CV-781 |
| Partner Industrial Products | 04-CV-1047 |
| Parts Associates | 04-CV-1056 |
| Penick, Parr & Associates | 04-CV-1092 |
| Peterson Tire Inc. | 04-CV-1061 |
| Pipeline Supply & Service | 04-CV-1098 |
| Pratt & Whitney Canada, Inc. | 04-CV-786 |
| Pro Chem Cleaning | 04-CV-1108 |
| Progressive Tractor Corp. | 04-CV-791 |
| Promotion Solution Inc. | 04-CV-790 |
| Quick Corner CITGO | 04-CV-1119 |
| Reeder Distributors Inc. | 04-CV-749 |
| Relizon | 04-CV-750 |
| Rentlink Inc. | 04-CV-1054 |
| Rhode Island Tire Co. Inc. | 04-CV-1032 |
| Rish Equipment Company | 04-CV-796 |
| Robertson Fleet Service Inc. | 04-CV-1029 |
| S&D Tire Inc. | 04-CV-1134 |
| Saber Fleet Services, Inc. d/b/a Weiland Tire Service | 04-CV-753 |
| Sanford Auto & Truck Parts | 04-CV-1140 |

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| Scotty's Oil Company, Inc. | 04-CV-755 |
| Sellers Petroleum Products Inc. | 04-CV-1109 |
| Sensormatic Electronics Corp. | 04-CV-1169 |
| Services & Materials, Co. | 04-CV-1171 |
| Sherwin-Williams | 04-CV-754 |
| SB Power Tool Corp. | 04-CV-1174 |
| Soco Group | 04-CV-1159 |
| Son Coast, Hauling, CCC | 04-CV-1077 |
| Southeastern Crane | 04-CV-799 |
| Southern Energy Company | 04-CV-1084 |
| Southern Linc | 04-CV-1093 |
| Spectra Precision d/b/a Richard B. Trimble | 04-CV-1094 |
| Speedway New Holland | 04-CV-1100 |
| Staffing Master.com | 04-CV-1113 |
| Star Tire Company Inc. | 04-CV-1050 |
| Sterling Truck of Utah | 04-CV-1102 |
| Stihl Inc. National Accounts | 04-CV-1180 |
| Stone Construction Equipment Inc. | 04-CV-1183 |
| Sullivan Palatek Inc. | 04-CV-1052 |
| Sun Coast Resources Inc. | 04-CV-1188 |
| Tacony Corporation | 04-CV-808 |
| Terex Aerials, Inc. d/b/a Terex Cranes | 04-CV-973 |
| Texana Machinery Corp. | 04-CV-805 |
| Tex Con Oil Company | 04-CV-1120 |
| Tioga Inc. | 04-CV-1129 |
| TIP Dept 0501 | 04-CV-1131 |
| Tire Centers LLC | 04-CV-1133 |
| TMP Worldwide Inc. also known as Monster Worldwide, Inc. | 04-CV-986 |

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| Triton Transport Inc | 04-CV-1196 |
| Truck Lease Corp. | 04-CV-1198 |
| Truck PM Corporation | 04-CV-1002 |
| Tsurumi (America) Inc. | 04-CV-1005 |
| Tullo Truck Stop | 04-CV-1138 |
| Unifirst Corp. | 04-CV-1139 |
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| Vector Security Inc | 04-CV-1197 |
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| Vermeer of Tennessee, Inc. | 04-CV-1071 |
| Vermeer Sales & Service of Colorado, Inc. | 04-CV-1112 |
| Vermeer Sales and Service of Southern Ohio, Inc. | 04-CV-1107 |
| Vermeer Sales of Texas Inc. | 04-CV-1189 |
| Vickers & Asso, Inc. | 04-CV-1079 |
| Vic's Tire Service | 04-CV-804 |
| Viking Oil | 04-CV-1081 |
| Voltech Company | 04-CV-1087 |
| Wayne Miller's Mobile Tire Inc. | 04-CV-1179 |
| Worcester Truck Body Co., Inc. | 04-CV-1168 |
| World Wide Welding & Press Inc. | 04-CV-1103 |
| Defendants. | |

**ORDER: (I) SETTING PROCEDURES TO FACILITATE
SETTLEMENT OF THE ABOVE-CAPTIONED ADVERSARY
PROCEEDINGS, AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M.
AS A STATUS/SCHEDULING CONFERENCE DATE IN THE
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

This matter having come before the Court at the initial pretrial conference (the “Pretrial Conference”) held on May 16, 2005; and the Court having considered the settlement procedures proposed by counsel for Plaintiff in the captioned adversary proceedings (“Plaintiff” or “Plaintiffs”); and having considered all responses thereto;

IT IS HEREBY ORDERED THAT:

1. Each defendant (the “Defendant”) in the each of above-captioned adversary proceedings (the “Adversary Proceedings”) shall submit a written settlement proposal/position (the “Settlement Position”) in good faith to counsel for the Plaintiffs by July 15, 2005, which: (a) contains a brief statement setting forth the basis of the Defendant’s defenses, (b) attaches all documentation supporting such defenses, and (c) sets forth Defendant’s settlement proposal and/or position. The Settlement Position shall be served upon Plaintiff’s counsel at the following address:

Lowenstein Sandler PC
Attn: Susan Ericksen, Esq.
65 Livingston Avenue
Roseland, NJ 07068-1791

2. The Plaintiff shall consider the Settlement Positions in good faith and shall respond in writing to each Settlement Position pursuant to the following schedule:

- a. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is greater than \$50,000.00, the Plaintiff must respond to the Settlement Position by August 19, 2005.

- b. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is between \$20,000.00 and \$50,000.00, the Plaintiff must respond to the Settlement Position by September 16, 2005.
- c. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is less than \$20,000.00 the Plaintiff must respond to the Settlement Position by September 30, 2005.

3. Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a status/scheduling conference for the unresolved Adversary Proceedings will be held on October 11, 2005 at 10:00 a.m.

Dated: _____, 2005

The Honorable Kent A. Jordan
United States District Court Judge

CERTIFICATE OF SERVICE

I Mary E. Augustine, hereby certify that on this 18th day of May, 2005, I caused a copy of the **Certification of Counsel Regarding Order: (I) Setting Procedures to Facilitate Settlement of the Above-Captioned Adversary Proceedings, and (II) Setting October 11, 2005 at 10:00 a.m. as a Status/Scheduling Conference Date in the Above-Captioned Adversary Proceedings** to be served upon the parties listed on the attached service list via hand delivery to local parties and via First Class United States Mail to all other parties thereon.


Mary E. Augustine (No. 4477)

Jeff Wasserman, Esq.
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Wilmington, DE 19801

Re: 3-D/Coastal Oil Company

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1300 King Street
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Re: 4 Star Air Hydraulics & Ind.

Ed Hart pro se
7465 St. Route 366, Suite D
Huntsville, OH 43324

Re: A&H Hose and Fitting

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1300 King Street
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Re: A.O.K. Tire Mart II, Inc.

Mr. Ricky Stewart, President/CEO
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Forest Park, GA 30297

Re: Action Tire Company

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Re: ADA Resources

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Re: Advanced Tire

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Re: Ael Leasing Co., Inc.

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Re: Airdyne

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Re: Allen Oil Company of Sylacauga, Inc.

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12900 Preston Road, Suite 1050
Dallas, TX 75320

Re: Alternators Unlimited Reb.

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Ciconte, Roseman and Wasserman
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Wilmington, DE 19801

Re: American Hydraulics

Attention: Stephen Paradis, President/CEO
Attn: Stephen Paradis, President/CEP
180 Alabama Road
Tewksbury, MA 01876

Re: Archie's Truck

Attn: Stephen Parad, President/CEO
Attn: Stephen Parad, President/CEP
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Chelsea, MA 02150

Re: Archie's Truck

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Re: Arrow Master

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Re: ASAP Rental

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The Beasley Law Group
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Brentwood, TN 37027

Re: Authorized Equipment, Inc.

Attn: Aubrey D1 Pitcock, Registered Agent
220 Hookston Road
Pleasant Hill, CA 94523

Re: Bay Counties Pitcock Petroleum

Attn: Joe Baker, CEO/President
10950 Belcher Road
Largo, FL 33777

Re: BBF Printing Solutions, Inc.

Attn: Carol Clark, General Counsel
11401 Lamar Avenue
Overland Park, Kansas 66211

Re: Black & Veatch Constr., Inc.

Attn: Clarence Bergman, President/CEO
1446 N 24th Avenue
Phoenix, AZ 85009

Re: Blue Ribbon Tire

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West Bradenton, FL 33505

Re: Badenton Fuel Oil, Inc.

Attn: Karen Baldw, CEO/President
6116 21st Street
East Bradenton, FL 34203

Re: Bradenton Fuel Oil, Inc.

Attn: President / CEO
5710 Riverview Road
Mableton, GA 30059

Re: Burch-Lowe, Inc.

Attn: The Corporation Company
2000 Interstate Park Drive, Suite 2
Montgomery, AL 36100

Re: Burch-Lowe, Inc.

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Re: C.G&E

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Re: Carruth-Doggett

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Re: Central Tire

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Re: Cintas Corp.

Mr. Curtis Allen, President/CEO
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Re: Reed Construction Data

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Carol Stream, IL 60116

Re: CMD Group

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Re: Terex Light Construction Co.

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Amherst, NY 14228

Re: Columbus McKinnon

Jody Shilling President/CEO
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Hammond, LA 70403

Re: Commercial Tire, Inc.

Gerald West
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Baker, LA 70714

Re: Commercial Tire, Inc.

Cook Inlet Region, Inc.
Attn: Lisa Rieger, General Counsel
2525 "C" Street, Suite 500
Anchorage Alaska 99509-3330

Re: Construction Machinery, Inc.

Robert Matz, Chairman
M-L Holdings Company
4601 Washington Blvd.
Baltimore, MD 21227

Re: Contractors Machinery Co. Inc.

Saegre & Benson
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1900 15th Street
Boulder, CO 80302

Re: Corporate Express

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Re: Crosscheck

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New York, New York 10004

Re: Cyrk, Inc. a/k/a Cyrk Acquisition

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Hughes Hubbard & Reed LLP
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New York, New York 10004

Re: Cyrk, Inc. a/k/a Cyrk Acquisition

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Hollywood, FL 33021-6627

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Attn: Mr. Ronald Cooper - President / CEO
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Re: Delta Formost Chemical

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Hitchcock, TX 77563

Re: Diamond Hydraulics

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Jeanette, PA 15644

Re: Diamond J. Transport, Inc.

Attn: A.M. Barille
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Cleveland, Ohio 44121

Re: Diversified Credit Service

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d/b/a Dorris Cleaning
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Greenbrier, TN 37073

Re: Dorris Cleaning

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Re: Dossey Holdings, Inc.

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Re: Double A

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Re: Douglass Distributing

Attn: Steven Russ, President / CEO
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Mt. Vernon, NY 10550-4617

Re: Dutchess Forging

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Re: Metso Minerals, Inc., f/k/a Dynapac

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Re: EJ Reynolds

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Re: Empite d/b/a Nortrax

Attn: President/Chief Executive Officer
100 Thomas Johnson Dr.
Frederick, MD 21702

Re: Equipment Development Company

Attn: President/Chief Executive Officer
1195 Broad St.
Providence RI 02905-2910

Re: Equiptechs, Inc.

Attn: President/ Chief Executive Officer
1411 N. 27th Ave.
Phoenix, AZ 85009

Re: Falcon Power, Inc.

Attn President/ Chief Executive Officer
305 S. Andrews
Fort Lauderdale, FL 33301

Re: Fischer Group

Attn: President/Chief Executive Officer,
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Fort Lauderdale, FL 33306

Re: Fischer Group

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Re: FL Hydraulic Machinery

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Re: Fleetwing Corp.

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Re: Fluid Tech

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Re: GCR Pensacola Truck Tire Center

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Re: Gene Jackson Tire Co.

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Re: GFC Leasing

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Re: GMR Marketing Inc.

Attn: President/Chief Executive Officer
220 E 42nd St., 15th Fl.
NYC, NY

Re: GMR Marketing Inc.

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Re: Goodyear Commercial Tire

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Re: GSR Construction, Inc.

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Re: Hindley Electronics, Inc.

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Re: ID Technologies, Inc.

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Re: ID Technologies, Inc.

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Re: Husquarna Forest & Garden

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Re: Illuminating Company, The

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Re: Illuminating Company, The

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Re: Industrial Hydraulics

Attn: E. Hack Mays, Jr.
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Re: Industrial Hydraulics

Attn: President/Chief Executive Officer
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Re: Industrial Hydraulics

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Re: J A M Distributing Company

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Re: J A M Distributing Company

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Re: J&B Auto Supply, Inc.

Attn: President/Chief Executive Officer
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Re: J&B Auto Supply, Inc.

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Re: John Ray and Sons, Inc.

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Re: Kent Demolition Tools

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Re: Keson Industries, Inc.

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Re: Kforce.com

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Re: Laclede Chain Mfg. Co.

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Re: Land & Sea Petroleum, Inc.

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Re: Lionudakis Wood & Green Waste, Inc.

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Re: Maxim Group

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Re: Maxout Sourcing Services

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Re: Mobile Products, Inc.

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Re: Mobile Storage Group Inc.

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Re: Morgan Auto Supply Co.

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Re: Morgan Guaranty Trust Co.

Attn: President/Chief Executive Officer
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Re: Morgan Marshall Industries, Inc.

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Re: Multiquip Inc.

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Attn: President Chief Executive Officer and J.R.
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Re: Nabors Radiator & Electric

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Re: NACM

Attn: President/Chief Executive Officer
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Re: NACM

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Re: NAPA Auto Parts of Franklin

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Re: Nortrax NE, LLC

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Re: Nortrax SE, LLC

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Re: Office Management Systems, Inc.

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Re: Morgan Tire & Auto, Inc. d/b/a
Olson Tire Total Car Care

Mr. Morgan, President
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Re: Morgan Tire & Auto, Inc. d/b/a
Olson Tire Total Car Care

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Re: Original Equip. Replacement Parts

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Re: Original Equip. Replacement Parts

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Re: OTR Tire & Supply Co.

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Re: Overland Machinery Co.

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Re: Pacific Century Leasing

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Re: Palmer Distributing & Sales

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Re: Palmer Distributing & Sales

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Re: Partner Industrial Products

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Re: Peterson Tire Inc.

Bifferato, Gentilotti & Biden
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Re: Pratt & Whitney Canada, Inc.

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Re: Parkway Truck Sales, Inc.

G. Christopher Meyer, Esq.
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Re: Partner Industrial Products

Wayne Gotcher, President
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